

Application No. 10/679,493
Reply to Final Office Action of August 11, 2005.

IN THE DRAWINGS

The attached sheets of drawings replace Figs. 1-6. These sheets, which include Figs. 1-6, replace the original sheets including Figs. 1-6. Figures 7-56 are deleted.

Attachment: Replacement Sheets: 6

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the present amendment and following discussion is respectfully requested.

Claims 50-56 are pending. Claims 34-37, 48, and 49 are canceled without prejudice or disclaimer. Claims 1-33 and 38-47 were previously canceled. A substitute specification is submitted to address minor informalities arising from mistranslation, and support for this specification is self-evident from the original specification. Figs. 1-6 are replaced, and Figs. 7-56 are deleted. Support for the amendments to Figs. 1-6 can be found in now-deleted Figs. 16-21 and Claim 53 for example. No new matter is added.

In the outstanding Office Action, the drawings were objected to under 37 C.F.R. §1.83(a) as failing to show the “unitary type toilet flushing device” set forth in Claim 53. Claims 50-56 were allowed.

Applicants note with appreciation the indication that Claims 50-56 are allowed.

Regarding the objection to the drawings as failing to describe a “unitary type toilet flushing device,” that rejection is respectfully traversed by the present response.

The unitary type toilet flushing device (8) is shown together with the inner cover (7) and the outer cover (82) in original Fig. 21. Further, the unitary type toilet flushing device (8) is described at original page 72, line 21 of the specification as filed. The pertinent section states:

As will be understood from the description made later, on the mounting surface 13, a separate-type toilet flushing device 2 (see Fig. 17 and the like) can be mounted or a unitary-type toilet flushing device 8 (see Fig. 21) which is of a different type from the separate-type toilet flushing device can be mounted.

Further, original page 73, lines 9-17 of the specification as filed state:

As will be understood from the description made later, with use of the toilet flushing device mounting holes 18, the separate-type toilet flushing device 2 (see Fig. 17 and the like) can be mounted by way of the common base plate 3 and the unitary-

type toilet flushing device 8 (see Fig. 21) which is of a different type from the separate-type toilet flushing device can be mounted by way of the common base plate 3 and hence, the toilet flushing device mounting holes 18 function as common mounting holes.

Further, original page 80, line 24 – page 81, line 18 states:

As described above, in a line which manufactures the tankless toilet which adopts the separate-type toilet flushing device 2 as the toilet flushing device, after the assembling is advanced to the state shown in Fig. 18, as shown in Fig. 21, the tankless toilet which adopts the unitary-type toilet flushing device 8 as the toilet flushing device can be manufactured.

Here, the unitary-type toilet flushing device 8 is integrally provided with the toilet-seat and toilet-lid device 81 and an outer cover 82 which conceals the inner cover 7 together with the hot water tank 44 is provided behind the toilet-seat and toilet-lid device 81. When compared with the tankless toilet which adopts the separate-type toilet flushing device 2 as the toilet flushing device, the tankless toilet which adopts the unitary-type toilet flushing device 8 as the toilet flushing device is in common with respect to the western-style toilet body 1, the branch water supply device 20, the flushing mechanism 21, the common base plate 3 and the inner cover 7 of the unitary-type toilet flushing device 8. In this manner, the tankless toilet which adopts the unitary-type toilet flushing device 8 as the toilet flushing device is manufactured.

Accordingly, at least one non-limiting embodiment of the unitary-type toilet flushing device recited in Claim 53 is depicted as the unitary-type toilet flushing device (8) shown in original Fig. 21 and described in the specification. Consequently, Applicants respectfully submit that the objection to the drawings is overcome.

However, in order to advance prosecution, a replacement sheet including a replacement Fig. 6 is included with an arrow extending from reference number (8) directly to the unitary-type toilet flushing device (8). Additionally, the flushing mechanism (21) (also shown in original Fig. 20, for example), the branch water supply device (20) (also shown in original Fig. 20, for example), and the hot water tank (44) (also shown in original Fig. 20, for example) are included for clarification.

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Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A handwritten signature in dark ink, appearing to read "Gregory J. Maier", is written over a horizontal line.

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